



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/608,907
Applicant : Storer, et al.
Filed : June 27, 2003
T.C./A.U. : 1623
Examiner : Traviss C. McIntosh III

Docket No. : 06171.105084 (IDX 1018)
Customer No. : 20786

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 26, 2006

Supplemental Information Disclosure Statement

Sir:

Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicants cite the publications listed on the accompanying PTO-1449. The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under the applicable statutes, Rules of Practice in patent cases, or otherwise.

Applicants note that several related pending U.S. patent applications will not be published in the United States because they exceed the number of publishable pages: 10/609,298; 11/005,471; 11/005, 442; 11/005,443; 11/005,466; 11/005,440; 11/005,442; 11/005,446; 11/005,472; 11/005,444 (all corresponding to WO 2004/003000) and 11/005,445; 11/005,468; 11/005,467; 11/005,470; 11/005,447; 11/005,441; 11/005,469 (all corresponding to WO 2004/002999).

The Examiner's attention is also directed to the following related cases: U.S. Application Publication Nos. U.S. 2004/0077587, U.S. 2003/0060400 and U.S. 2003/0050229.

All foreign patent documents and non-patent publications are submitted with this paper.

Although no fee is believed due, the Commissioner is hereby authorized to charge any deficiency associated with this paper to Deposit Account No. 11-0980.

KING & SPALDING
1180 Peachtree Street
Atlanta, Georgia 30309-3521
404-572-3541 (Telephone)
404-572-5134 (Facsimile)

Respectfully submitted,

Sherry M. Knowles
express permit
Madeley Johnson 36,174
Sherry M. Knowles
Registration No. 33,052



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Certificate of Mailing Under 37 CFR 1.8

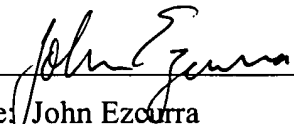
I hereby certify that this Supplemental Information Disclosure Statement, along with all other items identified below, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below-identified date.

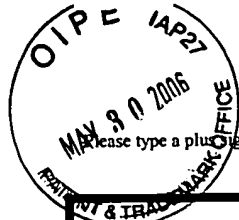
Deposit Date: May 26, 2006

Appl. No.: 10/608,907

Docket No.: 06171.105084 (IDX 1018)

Enclosed: Supplemental Information Disclosure transmittal (2 pp.), Form 1449 (4 pp.) and 33 documents, and Postcard


Name: John Ezourra



Please type a plus sign (+) inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/608,907
Filing Date	June 27, 2003
First Named Inventor	Storer <i>et al.</i>
Group Art Unit	1623
Examiner Name	Traviss C. McIntosh III
Attorney Docket Number	06171.105084 IDX 1018

Sheet 1 of 4

3405786 1

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages/Relevant Figures Appear	T ⁶
		Number	Kind Code (if known)				
	AA	4,814,477		Wijnberg <i>et al.</i>	03-21-1989		
	AB	4,952,740		Sylvain <i>et al.</i>	08-28-1990		
	AC	5,223,263		Hostetler <i>et al.</i>	06-29-1993		
	AD	5,780,617		van den Bosch <i>et al.</i>	05-31-1994		
	AE	5,696,277		Hostetler <i>et al.</i>	12-09-1997		
	AF	5,763,418		Matsuda <i>et al.</i>	06-09-1998		
	AG	5,789,608		Glazier	08-04-1998		
	AH	6,172,046		Albrecht	01-09-2001		
	AI	6,252,060		Hostetler <i>et al.</i>	06-26-2001		
	AJ	2003/0008841		Devos <i>et al.</i>	08-07-2001		
	AK	6,277,830		Ganguly <i>et al.</i>	08-21-2001		
	AL	6,348,587		Schinazi <i>et al.</i>	02-19-2002		
	AM	2002/0055483		Watanabe <i>et al.</i>	05-09-2002		
	AN	2002/0055473		Ganguly <i>et al.</i>	05-09-2002		
	AO	2002/0095033		Ramasamy <i>et al.</i>	07-18-2002		
	AP	6,436,437		Yatvin <i>et al.</i>	08-20-2002		
	AQ	6,448,392		Hostetler <i>et al.</i>	09-10-2002		
	AR	6,448,392		Hostetler <i>et al.</i>	09-10-2002		
	AS	2002/0127203		Albrecht	09-12-2002		
	AT	6,472,373		Albrecht	10-29-2002		
	AU	6,495,677		Ramasamy <i>et al.</i>	12-17-2002		
	AV	2002/0198171		Schinazi <i>et al.</i>	12-26-2002		
	AW	2003/0008841		Devos <i>et al.</i>	01-09-2003		
	AX	2003/0050229		LaColla <i>et al.</i>	03-13-2003		
	AY	2003/0055013		Brass	03-20-2003		
	AZ	2003/0053986		Zahm	03-20-2003		
	AAA	2003/0060400		LaColla <i>et al.</i>	03-27-2003		
	AAB	2003/0087873		Stuyver <i>et al.</i>	05-08-2003		

4004009 Examiner Signature	Date Considered
----------------------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/608,907
				Filing Date	June 27, 2003
				First Named Inventor	Storer <i>et al.</i>
				Group Art Unit	1623
				Examiner Name	Traviss C. McIntosh III
	2	of	4	Attorney Docket Number	06171.105084 IDX 1018

3405786 1


U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages/Relevant Figures Appear
		Number	Kind Code (if known)			
	BA	6,566,365		Storer <i>et al.</i>	05-20-2003	
	BB	6,573,248		Ramasamy <i>et al.</i>	06-03-2003	
	BC	6,599,887		Hostetler <i>et al.</i>	07-29-2003	
	BD	2003/0225029		Stuyver <i>et al.</i>	12-04-2003	
	BE	6,660,721		Devos <i>et al.</i>	12-09-2003	
	BF	2004/0002476		Stuyver <i>et al.</i>	01-01-2004	
	BG	2004-0023921		Yao <i>et al.</i>	02-05-2004	
	BH	2004/0059104		Cook <i>et al.</i>	03-25-2004	
	BI	2004/0063658		Roberts <i>et al.</i>	04-01-2004	
	BJ	2004/0067901		Bhat <i>et al.</i>	04-08-2004	
	BK	2004/0072788		Bhat <i>et al.</i>	04-15-2004	
	BL	2004/0077587		Sommadossi <i>et al.</i>	04-22-2004	
	BM	2004/0110717		Bhat <i>et al.</i>	06-10-2004	
	BN	2004/0110718		Devos <i>et al.</i>	06-10-2004	
	BO	6,752,981		Erion <i>et al.</i>	06-22-2004	
	BP	2004/0147464		Roberts <i>et al.</i>	07-29-2004	
	BQ	6,777,395		Bhat <i>et al.</i>	08-17-2004	
	BR	6,784,166		Devos <i>et al.</i>	08-31-2004	
	BS	6,784,161		Ismaili <i>et al.</i>	08-31-2004	
	BT	2004/0266722		Devos <i>et al.</i>	12-30-2004	
	BU	2004/0266723		Otto <i>et al.</i>	12-30-2004	
	BV	2005/0009737		Clark <i>et al.</i>	01-13-2005	
	BW	6,846,810		Martin <i>et al.</i>	01-25-2005	
	BX	6,875,751		Imbach <i>et al.</i>	04-05-2005	
	BY	2005/0119200		Roberts <i>et al.</i>	06-02-2005	
	BZ	6,911,424		Schinazi <i>et al.</i>	06-28-2005	
	BAA	6,965,066		Jiang <i>et al.</i>	11-15-2005	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → 

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/608,907
				Filing Date	June 27, 2003
				First Named Inventor	Storer <i>et al.</i>
				Group Art Unit	1623
				Examiner Name	Traviss C. McIntosh III
				Attorney Docket Number	06171.105084 IDX 1018
	3	of	4		

3405786 1

FOREIGN PATENT DOCUMENTS								
Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages/ Relevant Figures Appear	T ⁶
		Office ³	Number	Kind Code ² (if known)				
	CA	GB	1163 103		Merck	09-04-1969		
	CB	GB	1163 102		Merck	09-04-1969		
	CC	GB	1209 654		Merck	10-21-1970		
	CD	EP	0747 389		Taiho Pharmaceutical Co. Ltd.	12-11-1996		
	CE	WO	03/051899		Girardet <i>et al.</i>	06-26-2003		
	CF	WO	03/061385		An <i>et al.</i>	07-31-2003		
	CG	WO	03/061576		An <i>et al.</i>	07-31-2003		
	CH	WO	03/062256		An <i>et al.</i>	07-31-2003		
	CI	WO	03/062257		An <i>et al.</i>	07-31-2003		
	CJ	WO	03/062255		Hong <i>et al.</i>	07-31-2003		
	CK	WO	04/000858		Carroll <i>et al.</i>	12-31-2003		
	CL	WO	04/007512	A2	Merck & Co., Isis Pharmaceutical	01-22-2004		
	CM	WO	06/012440	A2	Wang <i>et al.</i>	02-02-2006		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	CN	AWANO, H., <i>et al.</i> , "Nucleosides and nucleotides. Part 144. Synthesis and antiviral activity of 5-substituted (2'S)-2'-deoxy-2'-C-methylcytidines and -uridines," <i>Archiv der Pharmazie</i> , VCH Verlagsgesellschaft mbh, Weinheim, DE. 329 :66-72 (February 1, 1996).	
	CO	BEIGELMAN, L.N., <i>et al.</i> , "A general method for synthesis of 3'-C-alkylnucleosides," <i>Nucleic Acids Symp. Ser.</i> , 9:115-118 (1981).	
	CP	CAPPELLACCI, L., <i>et al.</i> , "Ribose-modified nucleosides as ligands for adenosine receptors: Synthesis, conformational analysis, and biological evaluation of 1'-C-methyl adenosine analogues," <i>J. Med. Chem.</i> , 45:1196-1202 (2002).	
	CQ	FEDEROV, I.I., <i>et al.</i> , "3'-C-branched 2'-deoxy-5-methyluridines: Synthesis, enzyme inhibition, and antiviral properties," <i>J. Med. Chem.</i> , 35:4567-4575 (1992).	
	CR	FRANCHETTI, P., <i>et al.</i> , "2'-C-Methyl analogues of selective adenosine receptor agonists: synthesis and binding studies," <i>J. Med. Chem.</i> , 41(10):1708-1715 (1998).	
	CS	HATTORI, H., <i>et al.</i> , "Nucleosides and nucleotides. 158," <i>J. Med. Chem.</i> , 39:5005-5011 (1996).	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/608,907
				Filing Date	June 27, 2003
				First Named Inventor	Storer <i>et al.</i>
				Group Art Unit	1623
				Examiner Name	Traviss C. McIntosh III
	4	of	4	Attorney Docket Number	06171.105084 IDX 1018

3405786_1

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	DA	HREBABECKY, H., <i>et al.</i> , "Nucleic acid components and their analogues. CXLIX. Synthesis of pyrimidine nucleosides derived from 1-deoxy-D-psicose," <i>Collect. Czech. Chem. Commun.</i> , 37:2059-2065 (1972).	
	DB	HREBABECKY, H., <i>et al.</i> "Synthesis of 7- and 9-β-D-psicofuranosylguanine and their 1'-deoxy derivatives," <i>Collect. Czech. Chem. Commun.</i> , 39:2115-2123 (1974).	
	DC	JOHNSON, C.R., <i>et al.</i> , "3'-C-Trifluoromethyl ribonucleosides," <i>Nucleosides & Nucleotides</i> , 14(1&2):185-194 (1995).	
	DD	LI, Nan.-Sheng., <i>et al.</i> , "2'-C-branched ribonucleosides. 2. Synthesis of 2'-C-β-trifluoromethyl pyrimidine ribonucleosides," <i>Organic Letters</i> , 3(7):1025-1028 (2001).	
	DE	MATSUDA, A., <i>et al.</i> , "Radical deoxygenation of <i>tert</i> -alcohols in 2'-branched-chain sugar pyrimidine nucleosides: Synthesis and antileukemic activity of 2'-deoxy-2'(S)-methylcytidine," <i>Chem. Pharm. Bull.</i> , 35(9):3967-3970 (1987).	
	DF	MATSUDA, A., <i>et al.</i> , "Nucleosides and Nucleotides. 94. Radical deoxygenation of <i>tert</i> -alcohols in 1-(2-C-alkylpentofuranosyl)pyrimidines: Synthesis of (2'S)-2'-deoxy-2'-C-methylcytidine, an antileukemic nucleoside," <i>J. Med. Chem.</i> , 34:234-239 (1991).	
	DG	MIKHAILOV, S.N., <i>et al.</i> , "Synthesis and properties of 3'-C-methylnucleosides and their phosphoric esters," <i>Carbohydrate Research</i> , 124:75-96 (1983).	
	DH	MURAL, Y., <i>et al.</i> , "A synthesis and an X-ray analysis of 2'-C-, 3'-C- and 5'-C-methylsangivamycins," <i>Heterocycles</i> , 1(33):391-404 (1992).	
	DI	ONG, S.P., <i>et al.</i> , "Synthesis of 3'-C-methyladenosine and 3'-C-methyluridine diphosphates and their interaction with the ribonucleoside diphosphate reductase from <i>Corynebacterium nephridii</i> ," <i>Biochemistry</i> , 31(45):11210-11215 (1992).	
	DJ	ROSENTHAL, A., <i>et al.</i> , "Branched-chain sugar nucleosides. Synthesis of 3'-C-ethyl (and 3'-C-butyl)uridine <i>Carbohydrate Research</i> , 79:235-242 (1980).	
	DK	SCHMIT, C., "Synthesis of 2'-deoxy-2'-α-monofluoromethyl and trifluoromethylnucleosides," <i>Synlett</i> , Thieme Verlag, Stuttgart, DE, (4):241-242 (1994).	
	DL	SHARMA, P.K., <i>et al.</i> , "Synthesis of 3'-trifluoromethyl nucleosides as potential antiviral agents," <i>Nucleosides, Nucleotides and Nucleic Acids</i> , 19(4):757-774 (2000).	
	DM	TRONCHET, J.M.J.; <i>et al.</i> , "72. Synthèse et désamination enzymatique des C-hydroxyméthyl-3'-et C-méthyl-3'-beta-D-xylofurannosyl-9-adenin es," <i>Helv. Chim. Acta</i> , 62:689-695 (1979).	
	DN	WOLF, J., <i>et al.</i> , "New 2'-C-branched-chain sugar nucleoside analogs with potential antiviral or antitumor activity," <i>Synthesis</i> , Georg Thieme Verlag, Stuttgart, DE, (8):773-778 (August 1992).	

3405786_1

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.